Ø 001/005

FEB 2 1 2006

Patent

Attorney Docket No.: DKA-33545

## **CERTIFICATION UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being faxed to the U.S. Patent and Trademark Office at 571/273-8300 on the date indicated below.

" MXILS

February 21, 2006

## <u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

Inventors: Serial No.: Mitinori SAITOU, et al.

10/646,390

August 21, 2003

Filed: **GENES** For:

Art Unit:

Examiner:

1647

Daniel C. GAMETT 1543 Confirmation No.:

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This Supplemental Information Disclosure Statement is being submitted under the provisions of 37 CFR §§1.56, and 1.97(c)(2).

Authorization is given to charge payment of any fees that may be due in connection with this communication or any future communication, or credit any overpayment, to Deposit Account No. 23-2053.

Dated this 21st day of February, 2006.

Respectfully submitted,

Registration No. 43,599

WHYTE HIRSCHBOECK DUDEK S.C. One East Main Street, Suite 300 Madison, Wisconsin 53703-3300 (608) 255-4440 Customer No. 56080

PTO/SB/08A (07-05)
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTD	Complete if Known		
	Application Number	10/646,390	
INFORMATION DISCLOSURE	Filing Date	August 21, 2003	
	First Named Inventor	Milinori SAITOU	
STATEMENT BY APPLICANT	Art Unit	1647	
(Ușe pa meny sheets as necessary)	Examiner Name	Daniel C. GAMETT	·
Sheet 1 of 2	Attorney Docket Number	674558-2002.1	

U. S. PATENT DOCUMENTS  Examiner Cité Document Number Publication Date Name of Patentée or Pages, Columns, Lines, 1						
Initials*	Cite No.1	Number-Kind Code <sup>2 (# Innover)</sup>	MM-DD-YYYY	Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		US-				
		US-	-			
		US-	1			
		US-	·			
		US-				
		US-				
		U\$-				
		US-				
		üs₋			· · · · · · · · · · · · · · · · · · ·	
		US-				
		US-				
		US-		•		
		US-				
	-	US-				
		US-				
		US-				
		US-			_	
		US-				
	1	US-				

FOREIGN PATENT DOCUMENTS						
Examiner Cite Initials* No.1	Foreign Patent Document	Publication Date	Name of Patentse or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages		
		Country Code <sup>3</sup> "Number <sup>4</sup> Kind Code <sup>8</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	۲,
						Ļ.
••••	-					┝
						┝
			<del></del>		· · · · · ·	T

Examiner Signature		Date Considered	×.

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered, include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). \*See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. \*See Einds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. \*See Einds Codes of USPTO Patent Documents by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the Indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.18 if possible. \*Applicant is to place a check mark here if English language Translation is attented. Translation is attached.

Translation is estached.

This collection of Information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08B (07-05)

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCI:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449/PTO				Complete if Known		
				Application Number	10/646,390	
INFO	ORMATION	I DIS	CLOSURE	Filing Date	August 21, 2003	
STATEMENT BY APPLICANT			PPLICANT	First Named Inventor	Mitinori SAITOU	
	(Use as many she	ofa na n	nennung d	Art Unit	1647	
	(OSC as many snc	- CO 63 II	cc6336ry)	Examiner Name	Daniel C. GAMETT	
Sheet	2	of	2	Attorney Docket Number	674558-2002.1	

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials"	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	
_		HAYZER, D.J., et al., A rat beta-interferon-induced mRNA: sequence characterization. GENE 117(1992) 277-278.		
<u>-</u>				
,				

Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Orlicer, U.S. Palent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. OO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-766-9199) and select option 2.